

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">27-26-01</p> <p>Date Filed</p> <p style="text-align: center;">December 14, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">3</p> <p>Effective Date</p> <p style="text-align: center;">March 31, 2006</p>
<p>Authority/References</p> <p>KRS 196.035, 196.045, 439.470; 18 U.S.C. Chapter 40 & 44, 18 U.S.C. 925(c), 845(b) P&P ACA Standard 3-3205</p>	<p>Subject</p> <p style="text-align: center;">ASSISTANCE TO FORMER OFFENDERS AND DISCHARGEES</p>	

I. DEFINITIONS

As used in this document, the following definitions apply:

“Civil rights” is defined in KRS 196.045

“Dischargee” means a person released by conditional release or expiration of sentence from an institution, parole, or probation by maximum expiration of sentence or termination of sentence.

“Eligible felony offender” is defined in KRS 196.045.

“Former offender” means a person formerly on probation or parole.

It is the policy of Corrections to assist former offenders and dischargees upon request, and to encourage an eligible felony offender to apply for restoration of civil rights.

II. POLICY and PROCEDURE

- A. An officer shall provide assistance to any former offender or dischargee who requests it. Corrections shall not have jurisdiction over these individuals but shall make appropriate referrals and assist the dischargee. (3-3205)
- B. The Department of Corrections shall follow the procedures established in KRS 196.045 by informing the eligible offender of the process for restoration of civil rights and by providing him with a copy of the “Division of Probation and Parole, Application for Restoration of Civil Rights.”
 1. Any eligible offender may submit an application for the restoration of his civil rights to the Department of Corrections for processing. The eligible felony offender, may apply upon release from an institution, having reached the maximum expiration date of his sentence or received a final discharge from the Parole Board. The eligible felony offender shall sign the application if he wishes to have the Department of Corrections initiate the restoration process.

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2. An eligible offender, who is required under KRS 532.043 to serve a three (3) year conditional discharged sentence following release from either incarceration upon expiration of sentence or completion of parole, may apply upon having reached the maximum date of his conditional discharge sentence.
3. In addition to the application, the offender shall submit three character references and a written statement explaining his request.
4. Request for Application

Upon request for an application and assistance the officer shall be responsible for the following:

- a. Verify that the applicant is an eligible felony offender pursuant to KRS 196.045 and complete a criminal record check on the applicant.
- b. Verify and list all dates requested on the application including: (1) date received at the institution; (2) date probated, date paroled, date of final discharge or sentence expiration; (3) institution or probation number; and (4) crime and sentence.
- c. Verify and list any previous felony conviction giving the same required information as listed above under subparagraph b. of this section.
- d. For a felony offender convicted in a federal or out-of-state court, attaching to the application a copy of the conviction or judgment of final sentence, a letter from the former parole officer attesting to the final discharge and proof of a fine and restitution ordered.
- e. On all convictions from the Commonwealth of Kentucky, verification is to be provided that restitution is paid in full.
5. Any information required on an application that is not available to the officer is the responsibility of the applicant to obtain before submitting the application for processing.
6. The officer shall instruct the applicant where to mail the application, fee, three character references, and written statement. A two dollar (\$2.00) check or money order payable to the Kentucky state Treasurer shall accompany the application. The application, fee, three character references, and written statement shall be mailed to the Department of Corrections, Attention Civil Rights Restoration, P. O. Box 2400, Frankfort, Kentucky 40602-2400.

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7. The applicant shall be informed that restoration of civil rights does not restore a convicted felon's right to purchase, own or have in his possession a firearm or deadly weapon.
8. The officer shall instruct the applicant that to expedite the process, the applicant may obtain a letter from the Commonwealth Attorney stating there are no pending charges and no objections to a restoration of civil rights at this time.

**DIVISION OF PROBATION AND PAROLE
APPLICATION FOR RESTORATION OF CIVIL RIGHTS**

Answer every question that applies to you:

1. Name used at Time of Conviction: _____ Aliases Used: _____
Institution Number: _____
Probation Number: _____
Federal Number: _____
2. Address: _____
City and State: _____, _____ Zip: _____ - _____
3. Phone (____) ____ - ____
4. Date of Birth: ____/____/____ Social Security Number: ____-____-____
5. What is your most recent felony conviction?

6. Length of sentence: _____ Probated for _____ years
7. Court of Conviction: _____ City, County & State: _____
8. Date of Conviction: ____/____/____
9. Institution or Jail Entered:

Date entered institution or jail: ____/____/____ Conditional Release Date: ____/____/____
Date Paroled: ____/____/____ Date if Final Discharge: ____/____/____
10. Date Probated: ____/____/____ Date Probation Expired: ____/____/____
Name of Last Supervising Officer and County:

11. Federal Sentences: Date Probation supervised or Parole release terminated? ____/____/____
12. Are you under Indictment? Yes ☐ No ☐ Explain:

13. Do you have any Outstanding Fines? Yes ☐ No ☐ Explain:

14. Do you have any Unpaid Restitution? Yes ☐ No ☐ Explain:

15. List any previous Felony Convictions: (A) Number, Institution, State (B) Crime (C) Sentence (D) Date of Conviction (E) Date & Method of Release (F) Date of Final Discharge:

To the best of my knowledge the above information is correct.

Applicant Signature/Date

Notary Public or Probation & Parole Officer

- All persons who have been convicted of a felony in any court in this or any other state loses the right to vote and to hold public office. It is the prerogative of the Governor afforded him or her under the Kentucky Constitution to restore these rights.
- To be eligible for restoration of civil rights, applicants must have received a Final Discharge from parole or their sentence must have expired, whichever is applicable. Applicants must not be under felony indictment, must not have pending charges or owe any outstanding fines or restitution. **A fee of \$2.00 is required by the Secretary of State's Office. Please make checks or money orders payable to the Kentucky State Treasurer.**
- Registering to vote **prior** to receiving restoration of civil rights is a violation of the law. This violation may impose a maximum penalty of five (5) years in prison.
- If you were on **Kentucky Probation**, answer all questions except 9 & 11
- If you were on **Kentucky Parole**, answer all questions except 10 & 11.
- If you had a **Federal Conviction**, answer all questions that apply to your probation or parole conviction.
- If you had an **Out-of-State Conviction**, answer questions that apply to your probation or parole conviction.
- For those **convicted in a federal or out-of-state court**, a copy of the conviction/judgement of final sentence, a letter from the former parole officer attesting to the final discharge, and proof of fines or restitution ordered must be attached to the application.
- **If you do not answer all of the questions that apply to you, or do not sign your application with verification from a Probation and Parole officer or notary, your application will be returned to you for completion. Please assist us in processing your application as quickly as possible by completing the questions applicable to your case.**
- Return the completed application to:

Department of Corrections
 Division of Probation & Parole
 PO Box 2400
 Frankfort, KY 40602-2400
 Attn: Restoration of Civil Rights